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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/647,513 | 08/26/2003 | Fei-Wen Song | 4443-0109P | 2708 |

2292 7590 07/27/2005

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| EXAMINER |
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PEYTON, TAMMARA R

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| ART UNIT | PAPER NUMBER |
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2182

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/647,513

Applicant(s)

SONG ET AL.

Examiner

Tammara R. Peyton

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 August 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4 and 7 is/are rejected.
- 7) ☒ Claim(s) 2, 3, 5, 6, 8 and 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang, (US 5,951,681).

As per claims 1, 4, and 7, Chang teaches a system method for setting system working frequency, comprising steps of:

- a. executing computer reset and asserting reset;
- b. determining whether setting of a jumper-free IC (Fig.7) has been made; if the outcome is positive, modulating the system working frequency according to set values of BIOS (system firmware) through the jumper-free IC; if the outcome is negative, proceeding next step;
- c. deasserting reset and starting CPU; and
- d. proceeding and completing subsequent initialization process.

Chang teaches a plug and play method for CPU wherein if the CPU is newly attached then user's setting of the working frequency and voltage associated with the

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newly attached CPU is immediately implemented. Chang teaches an embodiment wherein the system determines whether a CPU's configuration (working frequency/voltage) is the same during the previous initialization or whether a new CPU was installed and the previous CPU's configuration would be invalid. If the user's previous working frequency for the old CPU was successful (positive) then the system will use the old settings – one reset, however, using the previous settings will lead to an unsuccessful (negative) initialization if a new CPU was installed. Therefore, Chang teaches not resetting the CPU in order to prevent the old working frequency from damaging the new CPU and only completing resetting the new CPU when the user's new working frequency/voltage must be set. Chang teaches using a jumper-free IC to set the working frequency/voltage for a CPU using one reset even if the CPU has been replaced. It would have been obvious to one of ordinary skill at the time the invention was made that Chang's system method of resetting the CPU one time during boot-up when it is determined that old settings associated with the CPU will successfully initialize and prevent a resetting when it is determined that the old working frequency will damage a new CPU. (cols. 2-6)

Allowable Subject Matter

Claims 2, 3, 5, 6, 8, and 9, are objected to as being dependent upon a rejected base claim, but would be allowable if added to the rejected independent claim.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammara Peyton whose telephone number is (571) 272-4157. The examiner can normally be reached between 6:30 - 4:00 from Monday to Thursday, (I am off every first Friday), and 6:30-3:00 every second Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached on (571) 272-4083. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3718. Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2100.

Mailed responses to this action should be sent to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231.

Faxes for Official/formal (After Final) communications or for informal or draft communications (please label "PROPOSED" or "DRAFT") sent to:

(703) 872-9306

Hand-delivered responses should be brought to:

USTPO, 2011 South Clark Place, Customer Window

Crystal Plaza Two, Lobby Room 1B03, Arlington, VA, 22202Crystal Park II, 2121.



Tammara Peyton

July 20, 2005

**TAMMARA PEYTON
PRIMARY EXAMINER**